

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

Claims 1 and 15 have been amended to even more particularly define the embodiments of this invention. Claims 1, 5, 7, 8, 10-13, 15, and 16 remain pending in the application. Claims 1 and 15 are independent. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

To advance prosecution, claim 1 has been amended to define an embodiment of the device that includes "a ceiling-side connecting element arranged between and connected to extensions of end-side side walls of the luggage stowage compartment," with "the extensions each being configured as an upwardly projecting bracket *aligned to the end-side side walls of the luggage stowage compartment.*" In addition, the device includes "a force-introducing element provided on the bracket of the side wall of the luggage stowage compartment, the force-introducing element being a bushing." See the disclosure of instant Figures 1 and 6. Claim 15 has been amended in a manner that parallels the amendment of claim 1. Entry of each of the amendments is respectfully requested.

Before turning to the detailed remarks in support of patentability of this invention, Applicants wish to emphasize the following point. In the asserted obviousness rejection of

independent claims 1 and 15, the Office Action rejects the claims based on a combination of four references. **Applicants respectfully submit that in view of the fact that the Office Action must rely upon the combined teachings of four references in order to meet the features of the claimed invention, that fact alone, in and of itself, is evidence of the nonobviousness of the instant invention.**

35 U.S.C. § 103(a) - Bargull, Mikalonis, Bossert, and Burrows

Claims 1, 5, 7, 10, 12, 13, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,839,694 to Bargull et al. (hereinafter "Bargull") in view of U.S. Patent No. 5,441,326 to Mikalonis, U.S. Patent No. 5,282,556 to Bossert, and U.S. Patent Application Pub. No. 2002/0175244 of Burrows et al. ("Burrows").

The rejection of claims 1, 5, 7, 10, 12, 13, and 15 under § 103(a) is respectfully deemed to be obviated. For at least the reasons presented in Applicants' Amendment filed July 20, 2009, and for the following reasons, the combined disclosures of Bargull, Mikalonis, Bossert, and Burrows would not have rendered obvious Applicants' presently claimed invention.

As indicated above in the introductory remarks, instant claim 1 defines an embodiment of the device that includes "a ceiling-side connecting element arranged between and connected to extensions of end-side side walls of the luggage stowage

compartment," with "the extensions each being configured as an upwardly projecting bracket *aligned to the end-side side walls of the luggage stowage compartment.*" In addition, the device includes "a force-introducing element provided on the bracket of the side wall of the luggage stowage compartment, the force-introducing element being a bushing."

The combined disclosures of Bargull, Mikalonis, Bossert, and Burrows would not have rendered obvious Applicants' claimed invention because the combination does not disclose each feature of the device as presently claimed. First, none of the asserted references discloses a force-introducing element that is a bushing provided on a bracket of a side wall of the luggage stowage compartment (see bushing 7' in instant Figure 1).

The Office Action acknowledges that Bargull fails to disclose a force-introducing element that is a bushing (Office Action page 3). But, the Office Action asserts that Burrows "teaches a force-introducing element (54) with a lug (6) that is provided on a bracket of the side wall" (Office Action, numbered paragraph 2c).

However, Burrows simply discloses a weighing spring 54 extending between a protrusion 5 on a weighing arm 52 and a lug 6 on an upper arm 50 in a pull-down luggage bin assembly 10 (see Burrows paragraph [0030] and Figure 3A).

On the other hand, Applicants' claimed device includes a bushing 7' provided on an extension of the side wall 3 of the

luggage stowage compartment 1. See instant Figures 1, 6, and 8. Applicants' structural elements are clearly different from Burrows' lug 6 for weighing spring 54 mounted on arms 50, 52 - which most certainly are not the same as the instant extensions of the side walls.

Furthermore, Applicants' claimed feature of the extensions of the end-side side walls 3 of the luggage stowage compartment 1 have now been even more particularly defined to be configured as upwardly projecting brackets 11 aligned to the end-side side walls 3 of the luggage stowage compartment 1 (see instant Figures 1 and 6).

In contrast to the aforementioned feature, Bargull teaches a linkage system for a luggage compartment in which legs 16', 16" of bar 16, 16A are not formed as extensions of the side walls 14, 14A, but as distinct pieces. In particular, legs 16', 16" are not arranged in the same plane as the side walls. As can best be seen from Bargull's Figure 4, legs 16', 16" are screwed on the bin 2 and must therefore be mounted in an offset manner so as to provide space for screws S.

The present invention obviates the need for such screws S by providing for brackets holding the ceiling-side connecting element configured as extensions of the side walls in alignment with the end-side side walls. Applicants' claimed combination of elements and structure advantageously makes possible a particularly light-weight construction.

Therefore, the asserted Bargull/Mikalonis/Bossert/Burrows combination simply does not meet each of the features of Applicants' presently claimed invention.

Furthermore, there is no teaching in any of the asserted references that would have led one to select the references and combine them in a way that would produce the invention defined by any of Applicants' pending claims. Bargull fails to teach reducing the weight of the disclosed luggage compartment. A reduction of weight is achieved with the present invention by obviating the need for screws or other fasteners, and by providing a fiber-reinforced synthetic material construction.

Accordingly, the combined disclosures of Bargull, Mikalonis, Bossert, and Burrows would not have rendered obvious the embodiment of the invention defined by instant claim 1. Claims 5, 7, 10, 12, and 13 are allowable because they depend from claim 1, and for the subject matter recited therein.

Instant claim 15 defines an embodiment of the device that includes

a ceiling-side ledge configured to distribute forces transmitted to the compartment, the ledge having a fiber-reinforced synthetic material construction and being adhered to the top wall and connected to the side walls, the side walls each including a bracket aligned to the end-side side walls of the luggage stowage compartment, the bracket projecting upward beyond the top wall and connecting to the ledge.

In addition, the device includes "a force-introducing element provided on the bracket of the side wall of the luggage

stowage compartment, the force-introducing element being a bushing." Claim 15 is therefore also allowable over the Bargull/Mikalonis/Bossert/Burrows combination. Claim 16 is allowable because it depends from claim 15, and for the subject matter recited therein.

The rejection of claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Bargull in view of Mikalonis and Bossert, and further in view of U.S. Patent No. 5,842,668 to Spencer, is also respectfully deemed to be obviated. Regardless of what Spencer may teach with regard to "a bull nose or bottom carrier (28)," that disclosure alone fails to rectify any of the above-described deficiencies of the Bargull/Mikalonis/Bossert combination.

The rejection of claims 11 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Bargull in view of Mikalonis and Bossert, and further in view of U.S. Patent No. 5,817,409 to Stephan et al. ("Stephan"), is also respectfully deemed to be obviated. Regardless of what Stephan may teach with regard to materials of construction, that disclosure alone fails to rectify any of the above-described deficiencies of the Bargull/Mikalonis/Bossert combination.

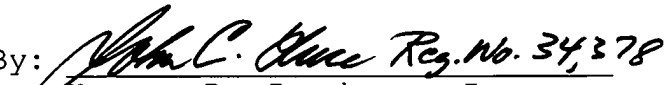

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an

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interview might expedite prosecution, the examiner is invited to
contact the undersigned.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By:  Reg. No. 34,378
Harvey B. Jacobson, Jr.
 Reg. No. 20,851

400 Seventh Street, N. W.
Washington, D.C. 20004
Telephone: (202) 638-6666
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